

EXHIBIT A

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

AARON MCCOY,

Plaintiff,

v.

GAMESA TECHNOLOGY CORPORATION, INC.)
a Delaware Corporation, and IBERDROLA
RENEWABLES, INCORPORATED, an Oregon
Corporation

Defendant.

No.

2010L013859
CALENDAR ROOM D
JUL 20 2011
CLERK

COMPLAINT AT LAW

GENERAL ALLEGATIONS

NOW COMES the Plaintiff, AARON MCCOY, by his attorneys, FICHERA & MILLER and complaining of the Defendants, Gamesa Technology Corporation, Inc. and Iberdrola Renewables, Incorporated, alleges the following:

1. Plaintiff, AARON MCCOY is an individual, and at all times mentioned in this complaint was, a resident of Morris, Grundy County, Illinois.
2. Defendant, Gamesa Technology Corporation, Inc. (hereinafter Gamesa) is a corporation, and at all times mentioned in this complaint was incorporated in the state of Delaware, had its primary place of business in the state of Pennsylvania, and does business in Illinois.
3. Defendant, Iberdrola Renewables, Inc. (hereinafter Iberdrola) is a corporation, and at all times mentioned in this complaint was incorporated in the state of Oregon, had its primary place of business in the state of Oregon, and does business in Illinois.

COUNT I

Negligence: Gamesa

NOW COMES the Plaintiff, AARON MCCOY, by his attorneys, FICHERA & MILLER and complaining of the Defendant, GAMESA TECHNOLOGY CORPORATION and alleges the following:

1. On October 20, 2010, at approximately 2:30p.m., near Cayuga Ridge South, Livingston County, Illinois, plaintiff was installing a turbine at a wind farm.
2. Plaintiff was an electrician employed by ~~Outland Renewable Energy~~ installing a turbine.
3. It then and there became the duty of Gamesa by and through its agents, employees, and apparent agents to exercise reasonable care and caution in the operation of the wind turbine.
4. Notwithstanding the duty stated above, Gamesa, by and through its agents and apparent agents, negligently and carelessly and without warning turned on power source to turbine that plaintiff was working on.
5. The Defendant, Gamesa, by and through agents, employees, and apparent agents, was guilty of one or more of the following careless and negligent acts or omissions:
 - a. Turning on power while Plaintiff was working on turbine;
 - b. Failing to provide a reasonably safe working environment;
 - c. Failing to warn Plaintiff prior to turning on power;
6. As a direct and proximate result of the negligent acts and omissions detailed above, plaintiff suffered severe and permanent injuries including electrical flash burns.
7. As a further direct and proximate result of defendant's negligent acts and omissions plaintiff experienced intense pain and suffering, disfigurement, and will suffer future pain and suffering; plaintiff has expended large sums of money to be cured and has had to absent himself from his employment all to his financial detriment.

WHEREFORE, the Plaintiff, AARON MCCOY, demands judgment against the Defendant, GAMESA TECHNOLOGY CORPORATION, in his favor and against the Defendant, in an amount in excess of the jurisdictional minimum of \$50,000.00, plus costs of this action.

COUNT II

Negligence: Iberdrola

NOW COMES the Plaintiff, AARON MCCOY, by his attorneys, FICHERA & MILLER and complaining of the Defendant, IBERDROLA RENEWABLES, INCORPORATED, alleges the following:

1. On October 20, 2010, at approximately 2:30p.m., near Cayuga Ridge South, Livingston County, Illinois, plaintiff was installing a turbine at a wind farm.
2. Plaintiff was an electrician employed by Outland Renewable Energy installing a turbine.
3. It then and there became the duty of Iberdrola by and through its agents, employees, and apparent agents to exercise reasonable care and caution in the operation of the wind turbine.
4. Notwithstanding the duty stated above, Iberdrola, by and through its agent, Clay Walker, negligently and carelessly and without warning turned on power source to the turbine that plaintiff was working on.
5. The Defendant, Iberdrola, by and through agents, employees, and apparent agents, was guilty of one or more of the following careless and negligent acts or omissions:
 - a. Turning on power while Plaintiff was working on turbine;
 - b. Failing to provide a reasonably safe working environment;
 - c. Failing to warn Plaintiff prior to turning on power;
6. As a direct and proximate result of the negligent acts and omissions detailed above, plaintiff suffered severe and permanent injuries including electrical flash burns.

7. As a further direct and proximate result of defendant's negligent acts and omissions plaintiff experienced intense pain and suffering, disfigurement, and will suffer future pain and suffering; plaintiff has expended large sums of money to be cured and has had to absent himself from his employment all to his financial detriment.

WHEREFORE, the Plaintiff, AARON MCCOY, demands judgment against the Defendant, IBERDROLA RENEWABLES, INCORPORATED, in his favor and against the Defendant, in an amount in excess of the jurisdictional minimum of \$50,000.00, plus costs of this action.

Respectfully submitted,

By: 

One of the Attorneys for the Plaintiff

I, Dominic R. Fichera, an attorney for the plaintiff in the above-captioned case depose and state that the damages sought to this action do exceed \$50,000.00.


Dominic R. Fichera

FICHERA & MILLER
Attorneys for Plaintiff
415 North LaSalle Street, Suite 301
Chicago, IL 60654
312-673-2222
FAX (312) 673-4545
Attorney No.: 40783

2120 - Served
 2220 - Not Served
 2320 - Served By Mail
 2420 - Served By Publication
 SUMMONS

2121 - Served
 2221 - Not Served
 2321 - Served By Mail
 2421 - Served By Publication
 ALIAS - SUMMONS



3/01/08) CCG N001

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
 COUNTY DEPARTMENT, Law DIVISION

No. 2010 L 013859

Aaron McCoy

(Name all parties)

v.

Gamesa Technology Corporation, Inc. and Iberdrola Renewables, Inc.

Gamesa Technology Corporation, d/b/a
 GAMESA ENERGY USA, LLC
 R/A NATIONAL REGISTERED
 AGENTS INC
 200 WEST ADAMS STREET
 Chicago, IL 60606

ALIAS SUMMONS

To each Defendant:

YOU ARE SUMMONED and required to file an answer to the complaint in this case, a copy of which is hereto attached, or otherwise file your appearance, and pay the required fee, in the Office of the Clerk of this Court at the following location:

- ☒ Richard J. Daley Center, 50 W. Washington, Room 801, Chicago, Illinois 60602
- ☐ District 2 - Skokie
 5600 Old Orchard Rd.
 Skokie, IL 60077
- ☐ District 3 - Rolling Meadows
 2121 Euclid
 Rolling Meadows, IL 60008
- ☐ District 4 - Maywood
 1500 Maybrook Ave.
 Maywood, IL 60153
- ☐ District 5 - Bridgeview
 10220 S. 76th Ave.
 Bridgeview, IL 60455
- ☐ District 6 - Markham
 16501 S. Kedzie Pkwy.
 Markham, IL 60426
- ☐ Child Support
 28 North Clark St., Room 200
 Chicago, Illinois 60602

You must file within 30 days after service of this Summons, not counting the day of service.

IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE RELIEF REQUESTED IN THE COMPLAINT.

To the officer:

This Summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this Summons shall be returned so endorsed. This Summons may not be served later than 30 days after its date.

Atty. No.: 40783

Name: Fichera & Miller, P.C.

Atty. for: Plaintiff

Address: 415 N. LaSalle St., Suite 301

City/State/Zip: Chicago, IL 60654

Telephone: (312) 673-2222

WITNESS, DEC 22 2011

Clerk of Court

Date of service:

(To be inserted by officer on copy left with defendant or other person)

Service by Facsimile Transmission will be accepted at:

(Area Code) (Facsimile Telephone Number)

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS



IN THE CIRCUIT COURT
THIRD JUDICIAL CIRCUIT
MADISON COUNTY, ILLINOIS

CRAIG M. HIRSH,

Plaintiff,

v.

A.W. CHESTERTON, INC., et al.,

Defendants.

Case No. 11 L 299

NOTICE TO TAKE DISCOVERY DEPOSITION

TO: ALL COUNSEL OF RECORD

YOU AND EACH OF YOU WILL HEREBY TAKE NOTICE that the following deposition will take place at the **Simmons Firm, 231 South Bemiston, Suite 525, St. Louis, MO 63105**; that the defendants, by and through their attorneys, will take the deposition of witness and discovery pursuant to Supreme Court Rule 206, the Case Management Order and other applicable rules and statutes; that said deposition will be taken on oral interrogatories before Pohlman Reporting, a Notary Public and certified Shorthand Reporter, or any other officer authorized by law to take depositions in like cases, at which time and place the said witness is requested to appear for said deposition.

Pursuant to the Standing Case Management Order dated February 6, 2004, arrangements may be made to attend this deposition telephonically. Any party wishing to attend by telephone should make prior arrangements with Pohlman Reporting, (314) 421-0099 www.pohlmanUSA.com

July 22, 2011:

10:00 a.m. - Craig Hirsch

Respectfully Submitted,

KERNELL LAW FIRM, P.C.

By

Thomas J. Kernell
Thomas J. Kernell, #06194863
Romeo J. Monzones, Jr. #06280656
Alison R. Helgeson, #06282125
Shannon Summers #06293909
Megan J. Bricker, #06298258
Attorneys for Sprinkmann Sons Corporation
800 Market Street, Suite 2100
St. Louis, MO 63101
(314) 241-7100

Certificate of Service

I hereby certify that a true copy of the above and foregoing was served via fax transmission, this 14TH day of July 2011 to Myles Epperson, The Simmons Firm, Attorneys for Plaintiff, 707 Berkshire, East Alton, IL 62024 and Pohlman.

Thomas J. Kernell

EXHIBIT B

EXHIBIT B

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

AARON MCCOY,)	
)	
Plaintiff,)	
v.)	Case No. 1:11-CV-00592
)	
GAMESA TECHNOLOGY CORPORATION. INC.,)	
a Delaware Corporation. and IBERDROLA)	
RENEWABLES. INC.,)	
)	
Defendants.)	

**DEFENDANT GAMESA TECHNOLOGY CORPORATION INC'S
ANSWER TO PLAINTIFF'S COMPLAINT**

NOW COMES Defendant, GAMESA TECHNOLOGY CORPORATION INC.'S, by and through its attorneys, GRANT, ROSS & FANNING, and for their answer to plaintiff's complaint at law, states as follows:

GENERAL ALLEGATIONS

1. Plaintiff AARON MCCOY is an individual, and at all times mentioned in this complaint was, a resident of Morris, Grundy County, Illinois.

ANSWER: This Defendant neither admits nor denies the allegations contained in Paragraph 1, but demands strict proof thereof.

2. Defendant, Gamesa Technology Corporation, Inc. (hereinafter Gamesa) is a corporation, and at all times mentioned in this complaint was incorporated in the state of Delaware, had its primary place of business in the state of Pennsylvania, and does business in Illinois.

ANSWER: This Defendant admits the allegations contained in Paragraph 2.

3. Defendant, Iberdrola Renewables, Inc., (hereinafter Iberdrola) is a corporation, and at all times mentioned in this complaint was incorporated in the state of Oregon, had its primary place of business in the state of Oregon, and does business in Illinois.

ANSWER: This Defendant admits the allegations contained in Paragraph 3.

COUNT I

Negligence: Gamesa

1. On October 20, 2010, at approximately 2:30pm., near Cayuga Ridge South, Livingston County, Illinois, plaintiff was installing a turbine at a wind farm.

ANSWER: This defendant neither admits nor denies the allegations contained in Paragraph 1 of Count I, but demands strict proof thereof.

2. Plaintiff was an electrician employed by Outland Renewable Energy installing a turbine.

ANSWER: This defendant neither admits nor denies the allegations contained in Paragraph 2 of Count I, but demands strict proof thereof.

3. It then and there became the duty of Gamesa by and through its agents, employees, and apparent agents to exercise reasonable care and caution in the operation of the wind turbine.

ANSWER: This defendant denies the allegations contained in Paragraph 3 of Count I.

4. Notwithstanding the duty stated above, Gamesa, by and through its agents and apparent agents, negligently and carelessly and without warning turned on power source to turbine that plaintiff was working on.

ANSWER: This defendant denies the allegations contained in Paragraph 4 of Count I.

5. The Defendant, Gamesa, by and through agents, employees, and apparent agents, was guilty of one or more of the following careless and negligent acts or omissions:

- a. Turning on power while Plaintiff was working on turbine;
- b. Failing to provide a reasonably safe working environment;
- c. Failing to warn Plaintiff prior to turning on power;

ANSWER: This defendant denies the allegations contained in Paragraph 5 of Count I.

6. As a direct and proximate result of the negligent acts and omissions detailed Above, plaintiff suffered severe and permanent injuries including electrical flash burns.

ANSWER: This defendant denies the allegations contained in Paragraph 6 of Count I.

7. As a further direct and proximate result of defendant's negligent acts, and omissions plaintiff experienced intense pain and suffering, disfigurement, and will suffer future pain and suffering; plaintiff has expended large sums of money to be cured and has had to absent himself from his employment all to his financial detriment.

ANSWER: This defendant denies the allegations contained in Paragraph 7 of Count I.

WHEREFORE, Defendant, GAMESA TECHNOLOGY CORPORATION INC.'S, that Plaintiff is entitled to any judgment whatsoever as against him and further prays for an order of

this Court entering judgment in favor of the Defendant and against Plaintiff and for all other relief this Court deems proper and just.

Furthermore, GAMESA TECHNOLOGY CORPORATION, INC., hereby demands trial by jury.

COUNT II
Iberdrola

This Defendant makes no response to the allegations contained in paragraphs 1 through 7 of Count II as they are not directed against this Defendant.

Respectfully Submitted,

GAMESA TECHNOLOGY
CORPORATION, INC.

By: /s/ Todd E. Carlson
One of its Attorneys

Todd. E. Carlson
GRANT, ROSS & FANNING
10 S. Riverside Plaza, Suite 1770
Chicago, IL 60606
(312) 775-9750
(312) 775-9777 Fax
ARDC No. 6190273